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3 Eastern District of Washington
4 Joseph H. Harrington
5 Assistant United States Attorney
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9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF WASHINGTON
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12 UNITED STATES OF AMERICA,)
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Plaintiff,

vs.

KEVIN WILLIAM HARPHAM,

Defendant.

11-CR-042-JLQ

Government's Request for
Notice of an Alibi Defense

Plaintiff, United States of America, by and through Michael C. Ormsby,
United States Attorney for the Eastern District of Washington, and Joseph H.
Harrington, Assistant United States Attorney for the Eastern District of
Washington, hereby files its Request for Notice of an Alibi Defense, pursuant to
Fed. R. Crim. P. 12.1.

Request for Notice of Alibi

The United States respectfully requests that, within 14 days of the filing of
the instant pleading and in accordance with Fed.R.Crim.P. 12.1., the Defendant
serve written notice on the United States of any intended alibi defense relating to
Count 1 of the Indictment in this matter. Count 1 relates to an incident occurring
on January 17, 2011, in downtown Spokane, Washington, at and around the

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1 northeast corner of Main and Washington Streets, between approximately 8:00
2 a.m. and 10:00 a.m.

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4 DATED this 24th day of March, 2011.

5 Michael C. Ormsby
6 United States Attorney

7 *s/ Joseph H. Harrington*

8 Joseph H. Harrington
9 Assistant United States Attorney
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1 I hereby certify that on March 24, 2011, I electronically filed the foregoing
2 with the Clerk of the Court using the CM/ECF System which will send
3 notification of such filing to the following, and/or I hereby certify that I have
4 mailed by United States Postal Service the document to the following non-
5 CM/ECF participant(s):

6
7 Mr. Roger Peven
8 Ms. Kimberly Deater
9 Ms. Kailey E. Moran
10 Federal Defenders of Eastern Washington and Idaho
11 10 North Post, Suite 700
12 Spokane, Washington 99201

13 *s/Joseph H. Harrington*
14 Joseph H. Harrington
15 Assistant United States Attorney
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